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By: **Delegates Rudolph and Glassman**  
Introduced and read first time: February 7, 2003  
Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2                                   **Environment - Maryland Clean Water Fund - Interstate River Basin**  
3                                   **Compact Commissions**

4 FOR the purpose of expanding the authorized uses of the Maryland Clean Water  
5 Fund; prohibiting the Department of the Environment from making certain  
6 expenditures from the Fund unless the State meets certain conditions related to  
7 certain interstate river basin compacts; authorizing certain methods of  
8 complying with certain conditions; defining a certain term; and generally  
9 relating to authorized expenditures from the Maryland Clean Water Fund.

10 BY repealing and reenacting, with amendments,  
11 Article - Environment  
12 Section 9-320  
13 Annotated Code of Maryland  
14 (1996 Replacement Volume and 2002 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
16 MARYLAND, That the Laws of Maryland read as follows:

17                                   **Article - Environment**

18 9-320.

19       (a)       There is a Maryland Clean Water Fund.

20       (b)       All application fees, permit fees, renewal fees, and funds collected by the  
21 Department under this subtitle, including any civil or administrative penalty or any  
22 fine imposed by a court under the provisions of this subtitle, shall be paid into the  
23 Maryland Clean Water Fund.

24       (c)       The Department shall use the Maryland Clean Water Fund for activities  
25 that are related to identifying, monitoring, and regulating the proper discharge of  
26 effluent into the waters of the [State] STATE, including program development of  
27 these activities as provided in the State budget, AND FOR INTERSTATE WATER  
28 RESOURCE MANAGEMENT ACTIVITIES CONDUCTED BY COMMISSIONS CREATED BY

1 INTERSTATE RIVER BASIN COMPACTS OF WHICH THE STATE IS A MEMBER. [Priority]  
2 EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, PRIORITY shall be given  
3 to activities pertaining to the water quality of the Chesapeake Bay and its tributaries.

4 (d) (1) IN THIS SUBSECTION, "EQUITABLE SHARE" MEANS THAT AMOUNT OF  
5 ANNUAL EXPENSE BUDGET ADOPTED BY AN INTERSTATE RIVER BASIN COMPACT  
6 COMMISSION WHICH HAS BEEN:

7 (I) EQUITABLY APPORTIONED TO THE STATE; AND

8 (II) CERTIFIED TO THE STATE BY THE COMMISSION.

9 (2) THE DEPARTMENT MAY NOT MAKE ANY EXPENDITURES FROM THE  
10 FUND IN ANY FISCAL YEAR FOR WHICH THE STATE HAS NOT PAID ITS EQUITABLE  
11 SHARE TO ANY INTERSTATE RIVER BASIN COMPACT COMMISSION OF WHICH IT IS A  
12 MEMBER.

13 (3) THE STATE'S EQUITABLE SHARE MAY BE PAID BY:

14 (I) APPROPRIATION FROM THE GENERAL FUND OF THE STATE;

15 (II) EXPENDITURE FROM THE FUND; OR

16 (III) A COMBINATION OF THE SOURCES IDENTIFIED IN ITEMS (I)  
17 AND (II) OF THIS PARAGRAPH.

18 (E) Notwithstanding any law to the contrary, unexpended moneys in the Fund  
19 shall not revert to the general treasury at the end of a fiscal year.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
21 effect July 1, 2003.